

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MASON WOODWARD, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF CHRISTINE WOODWARD PLAINTIFF V. UNITED STATES DEPARTMENT OF TRANSPORTATION AND NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION DEFENDANTS	CASE NO.: 4:25-CV-514 COMPLAINT FILED: 3/20/2025 JUDGE: Cheif Judge Brann JURY TRIAL OF 12 DEMANDED
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COMPLAINT

Plaintiff Mason Woodward, Individually and as the Administrator of the Estate of Christine Woodward, by and through the undersigned counsel, brings this action against Defendant United States Department of Transportation and Defendant National Highway Traffic Safety Administration to compel compliance with the Freedom Of Information Act, 5 U.S.C. § 552, et seq. As grounds therefore, Plaintiff alleges as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.
2. Venue is proper in this district pursuant to 28 U.S.C. § 1391(e)(1)(C).

PARTIES

3. Plaintiff Mason Woodward (hereinafter “Plaintiff”) is an adult individual who resides in the unincorporated community of Granville Summit, County of Bradford, Commonwealth of Pennsylvania, which is within the territory of this judicial district. Plaintiff is the administrator of the Estate of Christine Woodward (deceased), pursuant to Letters of Administration issued by the Register of Wills of Bradford County, Pennsylvania on February 16, 2023.

4. Defendant United States Department of Transportation (hereinafter “USDOT”) is an agency of the United States Government and is headquartered at 1200 New Jersey Avenue SE, Washington, DC 20590.

5. Defendant National Highway Traffic Safety Administration (hereinafter “NHTSA”) is a subordinate agency of Defendant USDOT and is headquartered at 1200 New Jersey Avenue SE, Washington, DC 20590.

FACTS COMMON TO ALL COUNTS

6. On November 25, 2024, Plaintiff’s counsel filed a Freedom of Information Act (FOIA) request via email to Defendant NHTSA requesting copies

of all NHTSA records regarding defects, pillar failure, fires, door lock issues, quality, and safety information for all model years of production for the GMC Acadia motor vehicle. See Exhibit A, Email FOIA Request dated November 25, 2024.

7. On November 27, 2024, a representative from Defendant NHTSA's FOIA Office emailed Plaintiff's counsel to acknowledge that the FOIA request was received via email on November 26, 2024, explained the FOIA response process for Defendants USDOT and NHTSA, and that there was a significant backlog of FOIA requests. The FOIA request was assigned a tracking number of "Freedom of Information Act Request No.: NHTSA-241127-002[.]" See Exhibit B, FOIA Request Acknowledgement Letter dated November 27, 2024.

8. In January of 2025, an employee of Plaintiff's counsel called the phone number listed on the letter from Defendants dated November 27, 2024 and left a voicemail. To date, the phone call and voicemail were not responded to by the Defendants.

9. On January 13, 2025, a letter was emailed by Plaintiff's counsel to Defendant NHTSA to follow up on the FOIA request indicating that to date, Defendants did not produce responsive materials nor did they request an extension, and that the response from the Defendants was due on December 26, 2024. See Exhibit C, letter to NHTSA dated January 13, 2025.

10. On February 10, 2025, an employee of Plaintiff's counsel called the phone number listed on the November 27, 2024 FOIA response letter, and was advised to call a representative of Defendants named Shonda Humphrey at a different phone number.

11. On February 10, 2025, an employee of Plaintiff's counsel called Shonda Humphrey at the phone number that was provided during the previous phone call, and left a voicemail message. To date, the phone call and voicemail were not responded to by Defendants.

12. On February 11, 2025, an employee of Plaintiff's counsel called Shonda Humphrey but did not leave a voicemail because Plaintiff left one the previous day. To date, the phone call was not returned by Defendants.

COUNT 1: VIOLATION OF FOIA (5 U.S.C. §552)

13. Plaintiff repeats and incorporates by reference, paragraphs 1 through 12 of this complaint as if fully restated herein.

14. Defendants are in violation of FOIA.

15. Plaintiff is suffering and will continue to suffer irreparable harm by Defendants' violations of FOIA unless Defendants are compelled by this Court to comply with the requirements of the law.

16. Plaintiff has no adequate remedy at law.

17. To trigger FOIA's administrative exhaustion requirement, Defendants were required to make a final determination on or before December 26, 2024. Because Defendants failed to make a final determination on the request within the parameters set forth by FOIA, Plaintiff is deemed to have exhausted its administrative appeal remedies.

WHEREFORE, Plaintiff respectfully requests that the Court do as follows:

- 1) Order Defendants to search for any and all records responsive to Plaintiff's FOIA request and demonstrate that it employed search methods reasonably likely to lead to the discovery of records responsive to the request;
- 2) Order Defendants to produce, by a date certain, any and all non-exempt records responsive to Plaintiff's request and an index of any responsive records withheld under claim of exemption(s);
- 3) Enjoin Defendants from continuing to withhold any and all non-exempt records responsive to the FOIA request;
- 4) Grant Plaintiff an award of attorney's fees and other litigation costs reasonably incurred in this action in accordance with 5 U.S.C. § 552(a)(4)(E); and
- 5) Grant Plaintiff any other relief this Court deems fair and just.

Dated: 3/20/2025

Respectfully Submitted,

RIEDERS, TRAVIS, DOHRMANN,
MOWREY, HUMPHREY & WATERS

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CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

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Date: 3/20/2025

Respectfully Submitted,

RIEDERS, TRAVIS, DOHRMANN,
MOWREY, HUMPHREY & WATERS

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